

ENTERED

January 12, 2023

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

**1960 FAMILY PRACTICE, PA
DEBTOR**

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§

**CASE NO. 20-35493
(Chapter 7)**

AGREED ORDER RESOLVING OBJECTION TO CLAIM

(Relates To ECF No. 106)

By agreement of the Parties, it is

ORDERED that the Proof of Claim No. 41 filed by WFCM 2016-C34 Northwest Freeway, LLC (“**WFCM**”) is an allowed unsecured claim in the total amount of \$950,000.00 (“**Allowed Claim**”), and it is further.

ORDERED that except as provided in this Agreed Order, the Parties are estopped from challenging the merits or the amount of the Allowed Claim in any pending or future proceedings.

Notwithstanding the above, it is further **ORDERED** that this Agreed Order is without prejudice, and shall not be subject to *res judicata* or collateral estoppel, with respect to Doctors Hospital 1997 d/b/a United Memorial Medical Center’s (“**UMMC**”) current affirmative defenses in Adversary No. 22-03126 which include: (1) Mistake, (2) Impossibility of Performance, and (3) Failure to Mitigate Damages.

Signed: January 12, 2023



Eduardo V. Rodriguez
Chief Judge
United States Bankruptcy Court

AGREED AS TO FORM AND CONTENT:

By: /s/ Miriam Goott

Miriam Goott

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NORTHWEST FREEWAY, LLC

AND AS SUCCESSOR IN INTEREST

TO CYPRESS MOB, LLC